

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6873 of 1996

For Approval and Signature:

Hon'ble MISS JUSTICE R.M.DOSHIT

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KALYANBHAI D DESAI

Versus

DIRECTOR OF TRANSPORT

Appearance:

MR PK JANI for Petitioner

CORAM : MISS JUSTICE R.M.DOSHIT

Date of decision: 09/09/96

ORAL JUDGEMENT

Notice to the respondents returnable today.
Learned Addistant Government Pleader Mr. Gharania, has,
at the request of the court accepted notice on behalf of
the respondents herein and has waived service of notice
for the repondents.

2. The petitioner was appointed as a Junior Clerk
under the respondent No.2 and was posted at Ahmedabad on
25-10-1983. He was transferred to Mahesana in June,1989.
Thus,the petitioner has continuously worked at Mehsana
except for a short period of 3 months in the year 1995
when he was temporarily transferred to Valsad. The
petitioner, thus, having served at Mahesana practically
for nearly 7 years, the order of his transfer at
Ahmedabad need not be interfered with.

3. However, learned advocate Mr.Jani appearing for
the petitioner submits that on account of his family
circumstances and on account of his midterm transfer,the
petitioner would suffer hardships and the education of

the petitioner's children may be adversely affected. In view of the personal hardships to the petitioner, the petitioner may make a representation to the respondent No.1 for necessary accomodation. If such a representation is made, the respondent No.1 shall decide the same within a period of 4 weeks from the date of receipt of such representation and shall communicate its decision to the petitioner. The decision taken on the representation shall be binding to the petitioner.

4. Subject to the aforesaid direction, the petition is summarily rejected. Notice is discharged. Direct service is permitted.

Date : 9-9-1996. (Ms.R.M.Doshit,J.)